

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants: Larosa, Christopher et al. Group Art Unit: 2662  
Application No.: 09/314,819 Examiner: Elallam, A.  
Date Filed: May 19, 1999  
Title: METHOD OF AND APPARATUS FOR ACTIVATING A SPREAD-  
SPECTRUM RADIOTELEPHONE

OCT 04 2004

## INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313

SIR:

In accordance with 37 C.F.R. §1.56 and in compliance with 37 C.F.R. §§1.97 and 1.98, the references listed on attached Form PTO/SB/08 and/or subsequently identified herein, are for consideration by the United States Patent and Trademark Office. Pursuant to the Office waiving the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC §371 after June 30, 2003, copies of the reference are not submitted herewith.

I. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(b)-(d): (check only one box)

- a. ☐ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; before the mailing date of a first Office Action on the merits; and/or before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114. No fee or statement is required.
- b. ☐ before the mailing date of any of a Final Office Action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application. Petition fee set forth in §1.17(p) is required unless a statement under 37 C.F.R. §1.97(c) is provided.
- c. ☒ on or before payment of the issue fee. Petition fee set forth in §1.17(p) and a statement under 37 C.F.R. §1.97(e) are required.

II. ☒ STATEMENT UNDER 37 C.F.R. §1.97(e) (check only one box, if applicable)

The undersigned hereby states that

- a. ☒ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and to knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement, or
- c. ☐ some of the items of information contained in the IDS were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the person signing the statement after making reasonable


inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

III. PAYMENT OF FEES

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above-identified fee(s).  
☒ Please charge Deposit Account **502117** in the amount of \$180.00 for the above-indicated fee(s).  
Enclosed is a Fee Transmittal in duplicate.  
☒ If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account **502117**.  
☐ Two Copies of this paper are attached for Deposit Account charges and debits.

The above references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art.

Respectfully submitted,  
Larosa, Christopher et al.

  
Lawrence J. Chapa  
Attorney for Applicant(s)  
Reg. No. 39,135  
Tel. 847-523-0340

MOTOROLA, INC.  
Customer Number 20280

Enclosures: ☒ Information Disclosure  
Statement by Applicant  
☒ References  
☐ Foreign Search Report  
☐ Other:



OCT 04 2004

<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>	Application Number		09/314,819	
	Filing Date		May 19, 1999	
	First Named Inventor		Christopher Larosa	
	Group Art Unit		2662	
	Examiner Name		Elallam, A.	
Total Number of Pages in this Submission		33	Attorney Docket Number	CS10088

ENCLOSURES			(check all that apply)
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input type="checkbox"/> Other Enclosure(s) (please identify below)	
Remarks			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual	Lawrence Chapa	Registration No.	39,135
Signature	<i>Lawrence Chapa</i>		
Date	October 4, 2004		

CERTIFICATE OF TRANSMITTAL/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO to facsimile number <u>703-872-9306</u> or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date listed below:	
Typed or printed name	June Edwards
Signature	<i>June Edwards</i>   Date <i>October 4, 2004</i>

<b>FEE TRANSMITTAL</b> Patent fees are subject to annual revision <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>Complete if Known</b>	
		Application Number	09/314,819
		Filing Date	May 19, 1999
		First Named Inventor	Christopher Larosa
		Examiner Name	Elallam, A.
TOTAL AMOUNT OF PAYMENT		(\$) <b>180.00</b>	
Group Art Unit		2662	
Attorney Docket No.		CS10088	

<b>METHOD OF PAYMENT (check all that apply)</b>		<b>FEE CALCULATION (continued)</b>																																																																																											
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number <b>502117</b> Deposit Account Name <b>Motorola, Inc.</b>		<b>3. ADDITIONAL FEES</b> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051 65 Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052 25 Surcharge - late Provisional filing</td></tr> <tr><td>1053</td><td>130</td><td>1053 130 Non-English specification</td></tr> <tr><td>1812</td><td>2520</td><td>1812 2520 For filing a request for ex parte Reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804 920* Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1840*</td><td>1805 1840* Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251 55 Extension for reply within first month</td></tr> <tr><td>1252</td><td>420</td><td>2252 210 Extension for reply within second month</td></tr> <tr><td>1253</td><td>950</td><td>2253 475 Extension for reply within third month</td></tr> <tr><td>1254</td><td>1480</td><td>2254 740 Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2010</td><td>2255 1005 Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>330</td><td>2401 165 Notice of Appeal</td></tr> <tr><td>1402</td><td>330</td><td>2402 165 Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>290</td><td>2403 145 Request for oral hearing</td></tr> <tr><td>1451</td><td>1510</td><td>1451 1510 Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452 55 Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1330</td><td>2453 665 Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1330</td><td>2501 665 Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>480</td><td>2502 240 Design issue fee</td></tr> <tr><td>1503</td><td>640</td><td>2503 320 Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460 130 Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807 50 Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>1806</td><td>180</td><td>1806 180 Submission of IDS</td></tr> <tr><td>8021</td><td>40</td><td>8021 40 Recording each patent assignment per property (limits number of properties)</td></tr> <tr><td>1809</td><td>770</td><td>2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>1810</td><td>770</td><td>2810 385 For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>1801</td><td>770</td><td>2801 385 Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802 900 Request for expedited examination of a design application</td></tr> <tr><td colspan="3">Other fee (specify) _____</td></tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	1051	130	2051 65 Surcharge - late filing fee or oath	1052	50	2052 25 Surcharge - late Provisional filing	1053	130	1053 130 Non-English specification	1812	2520	1812 2520 For filing a request for ex parte Reexamination	1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	1805	1840*	1805 1840* Requesting publication of SIR after Examiner action	1251	110	2251 55 Extension for reply within first month	1252	420	2252 210 Extension for reply within second month	1253	950	2253 475 Extension for reply within third month	1254	1480	2254 740 Extension for reply within fourth month	1255	2010	2255 1005 Extension for reply within fifth month	1401	330	2401 165 Notice of Appeal	1402	330	2402 165 Filing a brief in support of an appeal	1403	290	2403 145 Request for oral hearing	1451	1510	1451 1510 Petition to institute a public use proceeding	1452	110	2452 55 Petition to revive - unavoidable	1453	1330	2453 665 Petition to revive - unintentional	1501	1330	2501 665 Utility issue fee (or reissue)	1502	480	2502 240 Design issue fee	1503	640	2503 320 Plant issue fee	1460	130	1460 130 Petitions to the Commissioner	1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	1806	180	1806 180 Submission of IDS	8021	40	8021 40 Recording each patent assignment per property (limits number of properties)	1809	770	2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))	1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.129(b))	1801	770	2801 385 Request for Continued Examination (RCE)	1802	900	1802 900 Request for expedited examination of a design application	Other fee (specify) _____		
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<b>Complete (if applicable)</b>	
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